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6                   **UNITED STATES DISTRICT COURT**  
7                   **WESTERN DISTRICT OF WASHINGTON**  
8                   **AT SEATTLE**

9                   UNITED STATES OF AMERICA,

10                  Plaintiff,

11                  Case No. CR12-236-JLR

12                  v.

13                  DANIEL SANDOVAL,

14                  Defendant.

15                  **PROPOSED FINDINGS OF FACT**  
16                  **AND DETERMINATION AS TO**  
17                  **ALLEGED VIOLATIONS OF**  
18                  **SUPERVISED RELEASE**

19                   **INTRODUCTION**

20                  I conducted a hearing on alleged violations of supervised release in this case on April 16,  
21                  2013. The defendant appeared pursuant to a warrant issued in this case. The United States was  
22                  represented by David Jennings, and defendant was represented by Paula Deutsch. Also present  
23                  was U.S. Probation Officer Tom Fitzgerald. The proceedings were digitally recorded.

24                   **SENTENCE AND PRIOR ACTION**

25                  Defendant was sentenced on December 3, 2012, by the Honorable James L. Robart for  
26                  Theft of Public Money. He received 3 years of supervised release.

27                   **PRESENTLY ALLEGED VIOLATIONS**

28                  In a petition dated January 14, 2013, U.S. Probation Officer Christopher S. Luscher  
29                  alleged that defendant violated the following conditions of supervised release:

1. Failing to notify the probation officer of a change in residence, on or before  
2 December 28, 2012.
3. Failing to follow instructions of the probation officer, since January 2, 2013, in  
4 violation of standard condition number 3.

5 **FINDINGS FOLLOWING EVIDENTIARY HEARING**

6 Defendant admitted the above violations, waived any hearing as to whether they  
7 occurred, and was informed the matter would be set for a disposition hearing May 7, 2013, 1:30  
8 p.m. before District Judge James L. Robart.

9 **RECOMMENDED FINDINGS AND CONCLUSIONS**

10 Based upon the foregoing, I recommend the court find that defendant has violated the  
11 conditions of his supervised release as alleged above, and conduct a disposition hearing.

12 DATED this 16th day of April, 2013.

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15 BRIAN A. TSUCHIDA  
16 United States Magistrate Judge  
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